

SERVICE DATE – SEPTEMBER 13, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-547X

ROARING FORK RAILROAD HOLDING AUTHORITY – ABANDONMENT
EXEMPTION – IN GARFIELD, EAGLE, AND PITKIN COUNTIES, CO

Decided: September 12, 2005

On June 30, 1998, Roaring Fork Railroad Holding Authority (RFRHA), a Colorado inter-governmental entity, filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon its 33.44-mile line of railroad known as the Aspen Branch, extending from milepost 360.22 near Glenwood Springs to the end of the line at milepost 393.66 near Woody Creek, in Garfield, Eagle, and Pitkin Counties, CO. By decision and notice of interim trail use or abandonment (NITU) served on October 16, 1998 (October 1998 decision and notice), the petition for exemption was granted subject to certain conditions, including the conditions that RFRHA: (1) notify the National Geodetic Survey (NGS) at least 90 days prior to any salvage activities that may disturb or destroy any geodetic markers so that plans can be made for their relocation; and (2) retain its interest in and take no steps to alter the historic integrity of the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, in consultation with other state agencies.¹

By letter dated October 29, 2004, the railroad sent the required 90-day notification to NGS.² Therefore, the Board's Section of Environmental Analysis (SEA) recommends that the NGS condition be removed.

By letter dated June 16, 2005, the Colorado Historical Society states that, after consulting with the Colorado Department of Transportation and receiving additional information, it has completed its review of the proposed abandonment and concludes that

¹ The NITU also authorized RFRHA to rail bank the right-of-way in its own name. In a decision served on November 30, 2001, the Board granted RFRHA's and the Roaring Fork Transportation Authority's (RTA) joint request, pursuant to 49 CFR 1152.29(f), for the substitution of RTA as the interim trail user.

² NGS had identified 19 geodetic station markers that may be affected by the proposed abandonment.

removal of all existing railroad ties and tracks will not adversely affect the historic rail corridor. SEA, therefore, recommends that the section 106 historic preservation condition be removed.

Accordingly, the proceeding will be reopened and the previously imposed NGS and historic preservation conditions will be removed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the NGS and section 106 historic preservation conditions imposed in the October 1998 decision and notice are removed.
3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary